

ORIGINAL SIGNED 7/29/04

Ms. Laurie Allen
Acting Director, Office of Protected Resources
National Marine Fisheries Service - 13th floor
1315 East-West Highway
Silver Spring, MD 20910

Dear Ms. Allen:

The Office of Pesticide Programs (OPP), US Environmental Protection Agency (EPA) respectfully requests the initiation of Endangered Species Act (ESA) section 7(a)(2) consultation. This consultation request addresses sixteen (16) Evolutionarily Significant Units (ESU's) of Pacific salmon and steelhead that have been listed as Federally endangered or threatened, and one pesticide active ingredient registered by EPA under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), for uses within the range of the listed ESUs. The pesticide active ingredient subject to this request is **di flubenzuron**, a urea derivative, Restricted Use insecticide used on a variety of crops, cattle, rangeland, ornamental and in forestry operations. Di flubenzuron is registered to control pests such as gypsy moth, tent caterpillar, clover worm, army worm, aquatic midge, mites, scarid fly and mosquito larvae.

Based on data from the state pesticide regulatory agencies, di flubenzuron has been replaced to large measure by other, less costly products for commercial purposes. In spite of this valuable information regarding actual practice we have determined that di flubenzuron may affect, but is not likely to adversely affect 16 ESUs through a reduction in aquatic invertebrate food supply. While the use rates of this pesticide are low, and the state regulatory agencies provide information indicating this pesticide is unlikely to be used in forestry settings, the vast forested areas on which the pesticide could be used in the Pacific Northwest, combined with the food supply effects, precludes a determination that this pesticide would have no effect on the species of concern. Our determination that di flubenzuron use may affect, but is not likely to adversely effect 16 ESUs is based solely on the potential use in forestry applications. All other registered uses of di flubenzuron will have no effect on the 26 listed salmon and steelhead.

Our long-term intent is to make effects determinations and consult, as appropriate, relative to all listed species and locations. However, as per agreement with the National Marine Fisheries Service, this request is limited to Pacific salmon and steelhead for which NMFS has responsibility. A summary table at the back of the attached analysis indicates the specific determinations made for each of the ESUs. I am requesting your concurrence, under the informal consultation process, on OPP's determination that the registered use of di flubenzuron is not likely to adversely affect the following listed Pacific salmon and steelhead ESU's: Upper Columbia River, Snake River

Basin, Upper Willamette River, Lower Columbia River, and Middle Columbia River steelhead; Snake River fall run, Snake River spring/summer run, Puget Sound, Lower Columbia , Upper Willamette, Upper Columbia chinook; Southern Oregon/Northern California, and Oregon Coast, Coho; Hood Canal summer run, and Columbia River chum; and Snake River sockeye.

I look forward to working with NMFS to protect and help recover listed species. If you have any questions, please feel free to contact me, or your technical staff may contact Michael Patterson our review biologist, at (703) 305-5239.

enclosures

Sincerely,

Arthur-Jean B. Williams, Chief
Environmental Field Branch
Field and External Affairs Division (7506C)

cc: Craig Johnson